

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66730 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- GOPALPUR District- Gopalganj

Nagina Chauhan, Son of Late Chandrama Chauhan, R/o vill - Semra Bazar,
P.S. - Gopalpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur P.S. Case No. 77/2023 lodged on 08.05.2023 under
Section 147, 149, 341,323, 307, 504, 506/34 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against 14 named accused persons to the effect that all
the accused persons named in the FIR gathered and attacked the
house of the informant and assaulted the informant's wife and
family members. It is specifically alleged that co-accused
Upendra Chauhan assaulted by *farsa* but it caused injury on the
neck of the informant.



4. Learned counsel for the petitioner submits that the specific allegation of assaulting by means of farsa is against co-accused Upendra Chauhan whereas the allegation against the petitioner is omnibus and general. Learned counsel for the petitioner further submits that Annexure-P2 annexed with the bail petition is the injury report of the informant wherein the doctor has opined one injury which is simple in nature caused by hard and blunt substance. The petitioner is in custody since 17.07.2023 having no criminal antecedent.

4. Learned counsel for the State opposes the prayer for bail.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-V, Gopalganj in connection with Gopalpur P.S. Case No. 77/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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